

Congress of the United States
House of Representatives
Washington, DC 20515-2207

August 6, 2010

Mr. Patrick D. Daniel
President and Chief Executive Officer
Enbridge, Inc.
3000 Fifth Avenue Place
425 - 1st Street S.W.
Calgary, Alberta
T2P 3L8 Canada

Dear Mr. Daniel:

As we discussed this week, I remain concerned about the safety of Enbridge's pipeline, Line 6B, as well as the entire Lakehead System. I want to ensure that, **prior to any restart of the line**, that Enbridge takes appropriate corrective actions to prevent any potential hazards to life, property, and the environment along the line. In light of that, I deeply appreciate your recent statement to me: "I want you to hold [Enbridge] to the highest possible standards." It is my intention to do so.

On July 28, 2010, the Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a Corrective Action Order (CAO) to Enbridge requiring your company to take certain corrective actions with respect to their hazardous liquid pipeline in connection with the July 26, 2010 rupture near Marshall, Michigan, which resulted in an estimated spill of more than one million gallons of crude oil.

The CAO requires your company to: develop and submit a written restart plan for approval by the Director of PHMSA's Central Region, prior to resuming operation of the pipeline segment running from Marshall Station to the Stockbridge Station; repair and replace the ruptured pipeline; verify adequate cathodic protection for the area where the failure occurred; perform incremental start-up in 25% pressure increments with each increment to be held for at least an hour; maintain a 20% pressure reduction in the operating pressure of the line; and submit an integrity verification and remedial work plan to PHMSA within the next 60 days. That plan essentially requires Enbridge to write reports on the failure history of the pipeline, evaluate the condition of the pipeline, and describe how any defects will be evaluated and scheduled for repair.

I do not believe the requirements contained in the CAO are enough to ensure the safe operation of the pipeline. The condition of this line, in general, has been a concern for Federal regulators for some time. In 2007 and 2009, your company identified numerous anomalies on the line, which according to PHMSA personnel are in somewhat close proximity to the rupture; few of those anomalies have been repaired. PHMSA has responded by issuing warnings to your company, conducting further inspections of the pipeline, and holding meetings to urge action by Enbridge. In fact, since June 2009, the affected pipeline has been operating at a 20% pressure reduction in the operating pressure of the line to enable them time to address those anomalies either through repair or replacement. On July 17, 2010, you notified PHMSA that it had exceeded the maximum time (one year) allowable under existing regulations for maintaining the pipeline at lower pressure and

requested that PHMSA extend their allowable timeframe for completing repairs or remediation on the line another two and one-half years.

I have serious concerns about the integrity of this pipeline given the number of repairs/replacements needed on the line, and the failure of your company to address those repairs/replacements in a timely manner prior to this incident. Although the recent rupture is still under investigation, given the documented history of this line, I have no confidence that your company's compliance with the CAO would prove sufficient to protect the public from another serious failure in the line. The safety and health of the citizens in my district and within the State of Michigan are of paramount importance to me. Therefore, I write to request that **before any restart of the pipeline** that you provide me, my constituents, and the citizens of the State of Michigan with your personal assurance of the safety of this pipeline and a commitment that, at a minimum, the following actions will be taken prior to restart of the line (in addition to the requirements outlined in the CAO):

The restart plan submitted by Enbridge for review and approval by PHMSA will be made available to the public, which will be provided a reasonable amount of time to review the plan;

A public meeting will be held in the area impacted by the rupture, at which time Enbridge will describe the plan and the public will be provided the opportunity to comment on the plan and ask any questions of Enbridge and Federal safety regulators;

Enbridge will conduct a full integrity management assessment of the condition of the entire Line 6B pipeline, not just the ruptured section;

Enbridge will repair (or replace, as appropriate) all anomalies identified by the assessment described above, as well as all of the anomalies identified in the assessments conducted by your company in 2007 and 2009 which still are yet to be repaired;

Enbridge will provide details (in writing) on the locations of any identified anomalies, the cause(s) of those anomalies, and any repairs/replacements made to PHMSA.

In addition, I have asked PHMSA, at a minimum, to: (1) conduct a thorough inspection of the pipeline and related Enbridge assets, and verify the results of the assessment(s) described above and that all repairs or replacements were, in fact, made by Enbridge; (2) verify that corrosion control monitoring and leak detection equipment are operating on the line and are sufficient to detect corrosion or any leaks that may occur in the future; and (3) verify that Enbridge's control center and leak detection systems are adequate to instantaneously detect a leak of any size and that its response plans are adequate to protect the public safety and avoid environmental impacts.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Schauer". The signature is fluid and cursive, with the first name "Mark" and last name "Schauer" clearly distinguishable.

Mark Schauer
Member of Congress